(3)

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 1966 2001

PETITIONER : Mahesh Kumar Ratre,
Aged 33 years,
S/o Shri Udhoram Ratre,
R/o Village Khapri, Vikash Khand - Dhandha, Distt. - Durg (C.G.)

P. R. No. 1900/01
Presented by Shri R.P. Mathpal
dated 13.9.01

VERSUS

RESPONDENTS :

1. State of Chhattisgarh,
Through - Secretary
Panchayat & Gramin Vikas,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)
2. Commissioner Raipur Division,
Raipur (C.G.)
3. Collector Durg,
Durg (C.G.)
4. Gram Panchayat Khapri,
Vikas Khand Dhamdha,
Distt. Durg (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ORDERS IN NATURE OF WRIT OF MANDAMUS.

1. **Particulars of the Petitioner**

The petitioner was/is one of the Panchayat Karmi (Worker of Panchayat) at Village Khapri. The petitioner was removed illegally from his post by Sarpanch

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. 1966

मामला क्रमांक ..... सन् 2001

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	02-08-2002 Shri Kishore Bhaduri, learned counsel for the petitioner. Shri Ranbir Singh, Govt. Adv. for the State. Heard. Admittedly, the petitioner who was working as Panchayat Karmi was removed from his post on the basis of certain complaints. The petitioner unsuccessfully challenged the order before the Collector, Durg. However, the said order of the Collector was set aside by the Commissioner and the matter was remanded with a direction to complete the proceedings within a month and during the pendency of the proceedings the petitioner was directed to remain under suspension. Being aggrieved by the order dated 28-5-2001, the petitioner has approached this Court. It is contended that since the order was set aside and the matter was remanded for a fresh enquiry, the Commissioner was not justified in directing that the applicant shall remain suspended. Further grievance is to the delay in disposal of the proceedings after remand. As admittedly, proceedings have been initiated, in view of the direction given by the Commissioner, the	

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(31)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Court feels that proceedings ought to have been disposed of as directed or at any rate within a reasonable period. Therefore, without going into the merits of the case and in view of the facts and circumstances of the case, the petition is disposed of by directing the respondent No.3 to complete the proceedings within a period of two months from the date of communication / production of this order. It goes without saying that the proceedings shall be decided on its own merits in accordance with the law after giving due opportunity of hearing to the petitioner. If the petitioner does not cooperate or takes adjournment that period shall be added to the period of two months.

In view of the above observation, the petition stands disposed of.

Certified copy as per rules.

Sd/-
P.C.Naik
Judge

Rohan

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